

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(d) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as the departments and agencies may determine advisable and as may be authorized by law.

(e) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(f) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

#### SEC. 08. NONAPPLICABILITY OF THE FEDERAL ADVISORY COMMISSION ACT.

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under subsections (a) and (b) of section 13.

(c) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

#### SEC. 09. RECORD RETENTION.

(a) COMMISSION RECORDS.—The Commission shall—

(1) preserve the records and documents of the Commission; and

(2) make such records and documents available to the National Archives not later than 120 days following the submission of the Commission's final report.

(b) FUTURE ACCESS.—Following the termination of the Commission, the Secretary of the Senate shall be responsible for facilitating access to the publicly available records and documents of the Commission, as if they were Senate records, for researchers, interested parties, and the general public.

(c) OFFICIAL ELECTRONIC ACCOUNTS FOR COMMISSION BUSINESS.—When conducting any Commission business on electronic accounts, members and staff of the Commission shall use official Commission electronic accounts.

#### SEC. 10. STAFF OF THE COMMISSION.

(a) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The chair, in consultation with the vice chair and in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed

the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of such title.

(2) NONPARTISAN STAFF.—The staff director shall be responsible for the day-to-day authority over the activities of the personnel of the Commission, and the staff director and any other personnel of the Commission shall be hired without regard to political affiliation.

(3) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The staff director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

#### SEC. 11. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

#### SEC. 12. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this title without the appropriate security clearances.

#### SEC. 13. REPORTS OF THE COMMISSION; TERMINATION.

(a) INTERIM REPORTS.—The Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of appointment of all members of the Commission, the Commission shall submit to the President and the relevant committees of Congress a final report containing such findings, conclusions, and recommendations for corrective measures and reforms as have been agreed to by a majority of the members of the Commission.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the members of the Commission should make the utmost effort to

produce a comprehensive, fact-based, evidentiary, nonpartisan, and actionable final report.

(c) ACCESSIBILITY.—The final report shall—

(1) simultaneously be made publicly available on an internet website;

(2) be written in plain language, to the extent deemed practicable by the Commission; and

(3) be made available in accessible formats and multiple languages, to the extent determined practicable by the Commission.

(d) ALTERNATIVE MEDIUMS.—The Commission may use alternative mediums to communicate key findings from the final report to as many people of the United States as possible.

(e) EXTENSIONS.—The submission and publication of the final report, as described in subsection (b), may be delayed by 90 days upon the agreement of a majority of the members of the Commission. The Commission may make not more than 3 90-day extensions. The Commission shall notify the President, Congress, and the public of each such extension.

(f) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities of this title, shall terminate 120 days after the date on which the final report is submitted under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 120-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

(g) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(1) MONITORING.—The Comptroller General of the United States shall monitor the implementation of any Commission recommendations included in the final report.

(2) REPORTS.—

(A) IN GENERAL.—One year after the final Commission report is submitted under subsection (b), and each year thereafter for the following 3 years, the Comptroller General shall submit to Congress a report regarding the status of the Commission recommendations that—

(i) identifies each recommendation as open or closed; and

(ii) provides a description of actions taken in response to each recommendation.

(B) SCOPE OF REPORTS.—Each report required under subparagraph (A) shall not provide a critical assessment of the merit or value of any Commission recommendation included in the final Commission report.

#### SEC. 14. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this title \$50,000,000.

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

**SA 4278.** Mr. MENENDEZ (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

**SEC. \_\_\_\_ NATIONAL MANUFACTURING EXTENSION PARTNERSHIP SUPPLY CHAIN DATABASE.**

(a) **DEFINITIONS.**—In this section:

(1) **CENTER.**—The term “Center” has the meaning given such term in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a)).

(2) **DATABASE.**—The term “Database” means the National Manufacturing Extension Partnership Supply Chain Database established under subsection (b).

(3) **DIRECTOR.**—The term “Director” means the Director of the National Institute of Standards and Technology.

(4) **INSTITUTE.**—The term “Institute” means the National Institute of Standards and Technology.

(b) **ESTABLISHMENT OF DATABASE.**—

(1) **IN GENERAL.**—Subject to the availability of appropriations, the Director shall establish a database to assist the United States in minimizing disruptions in the supply chain by providing a resource for manufacturers in the United States to gain information on product availability on a real time basis.

(2) **DESIGNATION.**—The database established under paragraph (1) shall be known as the “National Manufacturing Extension Partnership Supply Chain Database”.

(c) **CONSIDERATIONS.**—In establishing the Database, the Director shall consider the findings and recommendations from the study required under section 9413 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), including measures to secure and protect the Database from adversarial attacks and vulnerabilities.

(d) **CONNECTIONS WITH HOLLINGS MANUFACTURING EXTENSION PARTNERSHIPS CENTERS.**—

(1) **IN GENERAL.**—The Director shall create the infrastructure for the Database through the Hollings Manufacturing Extension Partnership, established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k), by connecting information from the Centers through the Database.

(2) **NATIONAL VIEW.**—The Director shall ensure that connections under paragraph (1)—

(A) provide a national overview of the networks of supply chains of the United States; and

(B) support understanding of whether there is a need for some manufacturers to retrofit in some critical areas to meet the urgent need for key products, such as defense supplies, food, and medical devices, including personal protective equipment.

(3) **INDIVIDUAL HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP CENTER DATABASES.**—

(A) **IN GENERAL.**—The Director shall ensure that—

(i) each Center is connected to the Database; and

(ii) each supply chain database maintained by a Center is interoperable with the Database.

(B) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to require a State or territory of the United States to establish a new supply chain database through the Hollings Manufacturing Extension Partnership program.

(e) **MAINTENANCE OF NATIONAL SUPPLY CHAIN DATABASE.**—The Director, acting through the Hollings Manufacturing Extension Partnership program or a designee of the program—

(1) shall maintain the Database as an integration of State-level databases from the Center of each State or territory of the United States; and

(2) may populate the Database with information from past, current, or potential clients of Centers.

(f) **DATABASE CONTENT.**—

(1) **IN GENERAL.**—The Database may include the following:

(A) Basic company information.

(B) An overview of capabilities, accreditations, and products.

(C) Proprietary information.

(D) Such other items as the Director considers necessary.

(2) **STANDARD CLASSIFICATION SYSTEM.**—The Database shall use the North American Industry Classification System (NAICS) Codes as follows:

(A) Sector 31-33 – Manufacturing.

(B) Sector 54 – Professional, Scientific, and Technical Services.

(C) Sector 48-49 – Transportation and Warehousing.

(3) **LEVELS.**—The Database shall be multi-levelled as follows:

(A) Level 1 shall have basic company information and shall be available to the public.

(B) Level 2 shall have a deeper, nonproprietary overview into capabilities, products, and accreditations and shall be available to all companies that contribute to the Database and agree to terms of mutual disclosure.

(C) Level 3 shall hold proprietary information.

(4) **MATTERS RELATING TO DISCLOSURE AND ACCESS.**—

(A) **FOIA EXEMPTION.**—The Database, and any information contained therein that is not publicly released by the Institute, shall be exempt from public disclosure under section 552(b)(3) of title 5, United States Code.

(B) **LIMITATION ON ACCESS TO CONTENT.**—Access to a contributing company’s nonpublic content in the Database shall be limited to the contributing company, the Institute, and staff from a Center who sign such nondisclosure agreement as the Director considers appropriate.

(C) **AGGREGATED INFORMATION.**—The Director may make aggregated, de-identified information available to contributing companies, Centers, or the public, as the Director considers appropriate, in support of the purposes of this section.

(g) **COORDINATION WITH NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.**—The Director, acting through the Hollings Manufacturing Extension Partnership program, may work with the National Defense Technology and Industrial Base Council established by section 2502(a) of title 10, United States Code, as the Director considers appropriate, to include in the Database information regarding the defense manufacturing supply chain.

(h) **PROTECTIONS.**—

(1) **IN GENERAL.**—Supply chain information that is voluntarily and lawfully submitted by a private entity and accompanied by an express statement described in paragraph (2)—

(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code;

(B) shall not be made available pursuant to any Federal, State, local, or Tribal authority pursuant to any Federal, State, local, or Tribal law requiring public disclosure of information or records; and

(C) shall not, without the written consent of the person or entity submitting such information, be used directly by the Director, or any other Federal, State, or local authority in any civil enforcement action brought by a Federal, State, or local authority.

(2) **EXPRESS STATEMENT.**—The express statement described in this paragraph, with respect to information or records, is—

(A) in the case of written information or records, a written marking on the information or records substantially similar to the following: “This information is voluntarily submitted to the Federal Government in ex-

pectation of protection from disclosure as provided by the provisions of section [\_\_\_\_] (h) of the National Defense Authorization Act for Fiscal Year 2022.”; or

(B) in the case of oral information, a written statement similar to the statement described in subparagraph (A) submitted within a reasonable period following the oral communication.

(i) **RULES OF CONSTRUCTION.**—

(1) **PRIVATE ENTITIES.**—Nothing in this section shall be construed to require any private entity to share data with the Director specifically for the Database.

(2) **PROHIBITION ON NEW REGULATORY AUTHORITY.**—Nothing in this section shall be construed to grant the Director, or the head of any other Federal agency, with any authority to promulgate regulations or set standards on manufacturers, based on data within the Database, that was not in effect on the day before the date of enactment of this section.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated—

(1) \$31,000,000 for fiscal year 2022 to develop and launch the Database; and

(2) \$26,000,000 for each of fiscal years 2023 through 2026 to maintain, update, and support Federal coordination of the State supply chain databases maintained by the Centers.

**SA 4279.** Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE \_\_\_\_—VIEQUES RECOVERY AND REDEVELOPMENT**

**SEC. \_\_\_\_ 01. SHORT TITLE.**

This title may be cited as the “Vieques Recovery and Redevelopment Act”.

**SEC. \_\_\_\_ 02. FINDINGS.**

The Congress finds the following:

(1) Vieques is an island municipality of Puerto Rico, measuring approximately 21 miles long by 4 miles wide, and located approximately 8 miles east of the main island of Puerto Rico.

(2) Prior to Hurricane Maria, residents of Vieques were served by an urgent medical care facility, the Susana Centeno Family Health Center, and residents had to travel off-island to obtain medical services, including most types of emergency care because the facility did not have the basic use of x-ray machines, CT machines, EKG machines, ultrasounds, or PET scans.

(3) The predominant means of transporting passengers and goods between Vieques and the main island of Puerto Rico is by ferry boat service, and over the years, the efficiency of this service has frequently been disrupted, unreliable, and difficult for cancer patients to endure to receive treatment. Each trip to Ceiba, Puerto Rico, for the cancer patient is an additional out-of-pocket expense ranging from \$120 to \$200.

(4) The United States Military maintained a presence on the eastern and western portions of Vieques for close to 60 years, and used parts of the island as a training range during those years, dropping over 80 million tons of ordnance and other weaponry available to the United States military since World War II.